SIKKIM

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GOVERNMENT OF SIKKIM
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT
GANGTOK

No. 11(656)L&PAD/2021/11 **Dated: 02.07.2025**

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on the 13th day of June, 2025 is hereby published for general information:-

SENGOL INTERNATIONAL UNIVERSITY ACT, 2025

(ACT No. 14 OF 2025)

AN
ACT

to establish and incorporate a self-financing Private University under the name of "Sengol International University" in the State of Sikkim and matters connected there with and incidental thereto.

Whereas, to address the growing demand for high quality education in the State, Sengol International University shall be committed to providing a comprehensive, multidisciplinary education that emphasizes academic excellence, critical thinking and ethical values. The University shall aim to create world class, futuristic, student-centric and outcome focused institution of excellence. It further aims to provide theoretical understanding with practical experiences to prepare its vibrant students to face real-life challenges and social realities with confidence. It shall impart cutting-edge knowledge to its students to make them global citizen;

And whereas, Sengol International University in Sikkim shall be sponsored by Late Smt. Lal Muni Devi Jankalyan Mahasamiti with a view to providing emphasis on high quality education supplemented with industrial internship and professional training, relevant education in the area of Education, Engineering, Physical Sciences, Life Sciences, Technology, Medical Science and Paramedical Science, Management, Technical, Finance and Accounting, Commerce, Humanities, Languages and Communication, Applied and Performing Arts,

Education, Law, Social Science, Agriculture, Veterinary and related areas through regular, external, part time, online and distance education mode;

And whereas, Late Smt. Lal Muni Devi Jankalyan Mahasamiti a society registered under section 21 of Societies Registration Act, 1860 bearing registration No. 643/2006-2007 dated 19.09.2006 having registered office at Karailabagh is engaged to create self-financed institution that supports local employment, especially providing job reservation for locals in Sikkim and empowering underprivileged sections through education and vocational training;

Be it enacted by the Legislature of Sikkim in the Seventy-sixth Year of the Republic of India as follows: -

Short title and commencement

1. (1) This Act may be called the Sengol International University Act, 2025.

(2) It shall come into force on the date of its publication in the Official Gazette.

Definitions

2. In this Act, unless the context otherwise requires,-

(a) "Academic Council" means the Academic Council of the University;

(b) "Act" means the Sengol International University Act, 2025;

(c) "Affiliated colleges" means a college of an Institution affiliated to the University;

(d) "AIU" means the Association of Indian Universities;

(e) "Annual report" means the annual report of the University as prepared under the Act;

(f) "Authorities" means the authorities constituted under section 19;

(g) "Board of Governors" means the Board of Governors of the University;

(h) "Board of Management" means the Board of Management of the University;

(i) "Chancellor" means the Chancellor of the University;

(j) "Community College" means an institute established by the University for the purpose of an alternative system of education which aims to empower individuals through appropriate skill development leading to gainful employment;

(k) "Constituent College" means a College or an Institution established and managed by the University;

(l) "Distance Education System" means the system of imparting education through all mode of education such as Information Technology, Communication and other media such as Multimedia, Broadcasting, Telecasting, Online over Continental International, other interactive methods, e-mail, internet, computer, interactive talk by e-Learning, correspondence course, seminar, contact program or a combination of any two or more of such means, through any

mode of technology assisted learning for academic, research and training in any field under blended learning pattern etc.;

(m) "Educational Society" means Late Smt. Lal Muni Devi Jankalyan Mahasamiti;

(n) "Employee" means employee appointed by the University and includes teacher and other staff of the University or of a constituent college and Study Center;

(o) "Endowment fund" means the fund created by the University;

(p) "External Student" means students studying regular program but due to lack of financial resources or non-availability of time, accommodation or for any other reason unable to attend full-time course or staying at remote places far away from the University, Constituent college, and its affiliated colleges;

(q) "Examination Centre" means an examination centre established by the University for the purpose of conducting examination of full time, part time, online education and external students registered with the University;

(r) "Faculty" means Faculty of the University or of a constituent college and study Centres;

(s) "Finance Committee" means the Finance Committee of the University;

(t) "Fund" means the fund of the University;

(u) "Industry Based Learning Program (IBLP)" means program offered by the University in collaboration with the industry;

(v) "Information and Counseling Centre" means centre established or recognized by the University for the purpose of advising, counseling or for rendering any other academic or counseling or placement services;

(w) "Notification" means notification published in the Official Gazette;

(x) "Official Gazette" means the Gazette of Sikkim;

(y) "Officer" means Officer of the University;

(z) "Off-campus Centre" means a centre of the University established by it after five years of the University's coming into existence subject to the conditions laid down by the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 outside the main campus operated and maintained as its constituent unit, having the University's complement of facilities, faculty and staff within the State with the approval of the UGC;

(aa) "Online Education" means offering regular courses to external students through Online over internet portal, other interactive methods, email, computer, interactive talk-back, e-learning, etc.;

(bb) "Prescribed" means prescribed by the rules, regulations or statutes under the Act;

(cc) "Principal" in relation to a constituent College, means the Head of the constituent college and includes, where there is no Principal, the Vice-Principal or any other person for the time being appointed to act as a Principal;

(dd) "Pro-Chancellor" means Pro-Chancellor of the University;

(ee) "Pro-Vice-Chancellor" means Pro-Vice-Chancellor of the University;

(ff) "Public Private Partnership (PPP)" means the programs run under Public Private Partnership (PPP) with the Government and Semi-Government Organization;

(gg) "Regional Centre" means a centre established or maintained by the University for the purpose of coordinating and supervising the work of students and for rendering any other assistance including training, conducting contact classes and administering examinations required by the students and for performing such other function as may be conferred on such centre by the Board of Management;

(hh) "Registrar" means Registrar of the University appointed under the Act;

(ii) "Regulation andStatutes" means the regulation and statues of the University;

(jj) "Schedule" means the schedule appended to this Act;

(kk) "Sponsoring Body" means Late Smt. Lal Muni Devi Jankalyan Mahasamiti;

(ll) "State Government" means the State Government of Sikkim;

(mm) "Teacher" means a Professor, Associate Professor, Assistant Professor, and Lecturer or such other person as may be appointed or visiting for imparting education or conducting research in the University or in the constituent college or institution and includes the Principal of a constituent college of Institution, in conformity with the norms prescribed by the Board of Management;

(nn) "On demand Examination" means examination taken by the University in online or offline mode in and outside campus of the University as and when the student is ready for it;

(oo) "Training Centre" means a centre established and maintained by the University for the purpose of advising, counseling or for rendering any other assistance required by the students used in the context of distance, online and external education;

(pp) "University" means the Sengol International University established under this Act;

(qq) "UGC norms" means the University Grants Commission (Establishment of and Maintenance of Standards in Private

Universities) Regulations, 2003 and any other such regulations as may be issued by University Grants Commission (UGC) from time to time that are applicable to Private Universities;

(rr) "Vice-Chancellor" means Vice-Chancellor of the University.

Establishment of the University

3. (1) There shall bean established University in the name of Sengol International University.

(2) The headquarters of the University shall be at Pepthang, Yangang, Namchi District, Sikkim. It may have Regional Centres, Study Centres, Information Centres, Community College and Counseling Centre subject to the approval of Board of Management and UGC in this regard.

(3) The University shall run the courses online, offline, regular, industry based learning, part-time, external students, other means or mode of providing education and betterment of society dealing with backwardness with the approval of the Board of Management.

(4) The University shall conduct the examination in Online and Offline mode and at different location where deemed fit in the interest of the student and where the number of the students appearing is much higher.

(5) The Chancellor, the Vice-Chancellor, members of the Board of Governors, members of the Board of Management and the Academic council holding office as such in the University so established, shall constitute a body corporate and can sue and be sued in the name of the University.

(6) On the establishment of the University, ownership of movable properties taken on long term lease, arranged or built by the Sengol International University for the purpose of the University in the State of Sikkim shall vest in the Sponsoring Body:

Provided that nothing in this section shall prevent the University from creating of endowment fund for research and development from Public Sectoror Units owned by the Central Government and other Central or State Research Bodies, etc.:

Provided further that the University shall strictly adhere to the rule and regulation, norms and standards, procedures and guidelines, etc, of the University Grants Commission or the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 issued from time to time.

(7) The University shall fulfill the minimum criteria in terms of programme faculty, infrastructure facilities, financial viability, etc. as laid down from time to time by the University Grants Commission and other concerned statutory bodies such as the All India Council for Technical Education (AICTE), the Bar Council of

India (BCI), the Distance Education Council (DEC), the Dental Council of India (DCI), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc.

Objectives of the University

4. The objectives for which the University is established shall be :-

(a) to design and run courses at Pre-University Certificate, short term certificate, Diploma, Bachelor's, Master's and Doctoral Degree levels in the University, Institutes, college, campuses and study centers established by the University in the State;

(b) to provide instruction, teaching, training and research in various branches and specialized fields of vocational Education, Skill Development, Engineering, Physical Science, Life Sciences, Technology, Medical Science and Paramedical Management, Technical, Finance and Accounting, Commerce, Humanities Languages, and Communication, Applied and Performing Arts, Sports, Education, Law, Social Science, Agriculture Veterinary and related areas and subjects and to make provisions for research, advancement and dissemination of knowledge therein;

(c) to conducts courses and programs on a priority basis under the following faculties like Faculties of Engineering and Technology for conducting Bachelor of Technology (B.Tech), Master of Technology (M.Tech) and Doctor of Philosophy/ Doctor of Science (Ph.D/D.Sc.) level programs in different branches of engineering. Faculty of Medical Sciences for conducting Bachelor in Medicine (MD/MS) and Doctor of Philosophy/Doctor of Science (Ph.D/D.Sc.) and level programs in modern Medical Sciences besides Degree and Diploma level programs in Ayurveda,Yoga, Unani, Siddha, Homeopathy and other indigenous/alternative/complementary/ Polytechnic system of treatment and Para-medical sciences including medical laboratory technology, radiology imaging technology, physiotherapy, occupational therapy, optometry, healthcare and hospital administration. Faculty of Applied Science for conducting Bachelor's, Master's and Doctoral degree level programs in the area of Agriculture, Horticulture, Forestry, Ecology, Environment, Disaster Management, Sustainable Development, Bio-informatics, Geo-informatics, Biotechnology, Nanotechnology, etc. Faculty of Social Science for conducting Bachelor's, Master's and Doctoral Degree level programs in the area of History, Geography, Political Science, English, Hindi, Public Administration, Education, Journalism and Mass Communication, Economics, Computer Science, Business Administration, Hotel Management, Sociology, Social Work, Governance, Tribal Development, Rural Development, Library and Information Science, Counseling, Applied Psychology, Agriculture, Veterinary, etc. Faculty of Law and Judicial Science for

Conducting Bachelor of Arts/Bachelor of Commerce/Bachelor of Science/Bachelor of Laws/Bachelor of Business Administration/Bachelor in Computer Application etc. (BA/ B.Com./B.Sc./LLB/BBA/BCA/Bed/B.Ped/Dip. in elementary education/ BNYSetc.) Master of Art/Master of Science/Master of Commerce/Master in Business Administration/Master of Law etc. (MA/M.Sc./M.Com/MBA/LLM, etc.) and Doctor of Philosophy/Doctor of Law (Ph.D/LLD) level programs in different areas of laws including Human Right, Intellectual Property Rights, Anti-terror Law, besides Diplomas and Degree program in Para-legal services and confer inter-disciplinary Doctor of Philosophy-Doctor of Letters (Ph.D/D. LIT) level programs in different areas, also Pre-University foundation which is equivalent to Secondary School Certificate and Pre-University Certificate (Arts) which is equivalent to Higher Secondary School Certificate (Arts), Pre-University Certificate (Commerce) which is equivalent to Higher Secondary School Certificate (Commerce), Pre-University Certificate (Science) which is equivalent to Higher Secondary School Certificate (Science), Diploma of Vocational Education (D.Voc), Bachelor of Vocational Education (B.Voc), Master of Vocational Education (M.Voc);

(d) to establish a campus in the State of Sikkim and to have study centres, campuses, examination centres, off campus centres, off-shore campuses and Regional centres, Community Colleges, Constituent Colleges, Information and Counseling centers at different places in the State, subject to the University Grants Commission norms as may be applicable from time to time;

(e) to transfer the appropriate technology developed by the University or its institution to institution in India as well as other countries and to introduce e-governance with effective management system;

(f) to implement publication and educational programs for motivating, educating and for benefiting both the teaching community and the student in particular and the society in general;

(g) to provide regular and external education program in India and abroad through offline, online, correspondence and all modes of education (Learning Management System (LMS)/ Computer Based Tutorial (CBT) etc.). Study center shall be opened to run Distance Education program in India and abroad, through any mode of technology assisted learning for academic, research and training in any field under blended learning pattern etc.;

(h) to institute degrees, diplomas, pre university certificates, certificates and other academic distinction on the basis of examination, or any other method of evaluation;

(i) to collaborate with other Colleges or Universities, research institutions, industry associations, professional associations or any other organizations in India or abroad; to conceptualize, design and develop, run specific educational and research programs, training programs and exchange programs for students, faculty members and others;

(j) to disseminate knowledge through seminars, conferences, executive educationprograms, community development programs, publication and training programs;

(k) to undertake programs for the training and development for faculty members and teacher of the University and other Institutions of India and abroad;

(l) to undertake collaborative research with similar organization in India and abroad;

(m) to create higher level of intellectual abilities through various Directorates, Development Councils, Education committees etc.;

(n) to provide consultancy to industry, Government, Public and Private organization;

(o) to create an Industry-Academia partnership by inviting Industry in the University campus and University centers for mutual benefits and for the benefits of External students enrolled by the University;

(p) to recognize any institution or organization which conducts specified studies by the Board of Management as a community college for such purpose and in such manner and subject to such conditions as may be prescribed by the statutes;

(q) to conduct examination on demand through offline as well as online mode in India and abroad for regular campus, external and distance education programs and to establish and maintain within the university or elsewhere, such class rooms, laboratories and libraries, as the University may consider necessary;

(r) to start industry integrated and collaborative programs through training centres, Community Colleges, Colleges, Campuses, and e-learning centres;

(s) to impart instruction relating to a course or program of study through one or more modes which may include formal, non-formal, face-to-face, research, part-time, open, online, virtual, distance, external, continuing and regular modes of teaching and learning;

(t) to pursue any other related objective as may be prescribed by the State Government or the University;

(u) to engage in any kind of educational activity for the betterment of the society;

(v) to confer honorary degrees;

(w) to award associate degrees, diplomas and certificate programs through various modes of learning and examination methods;

(x) to decide the syllabus on CBSE (Central Board of Secondary Education) methodforthe Pre-University foundation course which is equivalent to Secondary School Certificate and Pre-University Certificate which is equivalent to Higher Secondary School Certificateof Sikkim State Education Boards and other education boards of India and abroad and also of Pre University Certificate (Part 1) which is equivalent to part one (standard 11) of Higher Secondary School Certificate of Sikkim State Education Boards and other education boards of India and abroad;

(y) to give external education to student from India and abroad who cannot do regular studies due to lack of financial resources, socio-economic problem or non-availability of time to attend full courses as they stay at remote place far away from the University, its Constituent Colleges and affiliated Colleges;

(z) to establish Community Colleges for alternative system of education, which aim to empower the individuals, through appropriate skill development leading to gainful employment and to admit institutes of Higher Learning to the privilege of the University as approved according to statutes and regulations made under this Act;

(aa) to do all things necessary or expedient to promote the above objectives.

University to be self financed

5. The University shall be self-financing and shall not be entitled to receive any grant or other financial assistance from the State Government.

Powers of the University

6. The University shall have the following powers, namely; -

(a) to establish, maintain, affiliateand recognize such Regional Centers, Training Centers, Campuses, Information centers, Online centers and Off-campus Centers. Skill knowledge provides national coordinator, learning resource provider, application collection centres,constituent college, affiliated colleges, Regional Centers, Communities College as may be determined by the Board of Management of the University;

(b) to confer Certificate, Pre-University Certificate, Degrees, Diplomas, Masters, Doctoral programs or other academic distinctions;

(c) to institute and award fellowships, scholarships and prizes;

(d) to institute and confer honorary degrees as may be prescribed;

(e) to launch any academic and research programs and courses in discipline of education which are deemed suitable for meeting the objective;

(f) to run and provide Instruction, Teaching, Training and Research in various branches and specialized field of Vocational Education, Skill Development, Engineering, Physical Science, Life Sciences, Technology, Medical Science and Paramedical Management, Technical, Finance and Accounting, Commerce, Humanities, Languages and Communication, Applied and Performing Arts, Education, Law, Social Science, Agriculture, Veterinary and related areas and subjects and to make provisions for research, advancement and dissemination of knowledge therein;

(g) to determine, demand and receive fees, bills, invoices and collect charges to fulfill the objectives of the University;

(h) to make provision for extracurricular activities for students and employees;

(i) to appoint the faculties, teachers, officers and employees of the University or a constituent college, affiliated colleges, regional centers, Communities College, Study centre, Campuses, School and to establish, maintain and recognize such regional centers, Study centers and Campuses, Off-campuses Centers and off – shore campuses, School located in the State and abroad;

(j) to receive grant from the State Government and other funding organization, donations and gift of any kind and to acquire, hold, manage, maintain, lease, mortgage and dispose off any movable property, including Society and endowment properties for the purpose of the University or a constituent college, or a Regional Centre or a Study or Training Centre with prior approval of the Sponsoring Body;

(k) to receive grants, subvention, subscription, donations and gifts for achieving the objectives of the University;

(l) to sub-lease or accept on lease any land or building or works which may be necessary or convenient for the purpose of the University;

(m) to execute conveyances, transfer, conveyance, mortgages, leases, licenses and agreements in respect of property, movable, including Government securities belonging to the University or to acquire same for the purpose of the University;

(n) to enter into agreements with the Central Government, State Government, the University Grants Commission or other authority for receiving grants;

(o) to accept grant of money, securities or property of any kind of such terms and conditions as may be deemed expedient,

to draw and accept, to make and endorse, to discount and negotiate, Government and other promissory notes, bills of exchange, cheques or other negotiable instrument;

(p) to raise and borrow money on mortgage, promissory note or on other obligations or securities based upon any of the properties and assets of the University with or without any securities and upon such term and conditions as it may think fit and to pay out of the fund of the University, all expenditures incidental to the raising of money and to repay and redeem any such money borrowed and to invest the fund of the University or money entrusted to the University in such other securities and in such manner as it may deem fit from time to time and transpose any such investment;

(q) to confer certificates, Pre-University Certificates, Pre-Engineering Certificates, Degrees, Diplomas, Master's and Doctoral Programs or other academic distinctions awarded by the University and automatically recognized for the purpose of employment in post and service under the State and Central Government, which shall be recognized for the purpose of further education in other Universities and higher learning institutes;

(r) to create and manage the halls and places of residence for students officers, faculties, teachers and employees of the University or a constituent College or other partners of the University at the main campus and other campuses in the State; to supervise and control the residential facilities, and to regulate discipline among the student and all categories of employees and to lay down conditions of service of such employees including their code of conduct;

(s) to create Industry-Academia partnership to conceptualize, innovate, design develop, deliver, offer work integrated learning program, training programs and research programs in subject which the University may deem fit for the purposes as may be agreed upon, on such term and condition as the University may, from time to time determine;

(t) to create academic, administrative and support staff and other necessary post; Sponsoring Body can appoint part-time, temporary, contractual staff from time to time for smooth administrative, teaching and research work;

(u) to strategies alliance or co-operation with other University or institution of higher learning in any part of the world for specified educational and research programs, dual degree programs, joint degree programs and exchange programs for students, faculty members etc. and to cooperate and collaborate with other University and institutions in such manners and for such purposes as the University may determine from time to time;

(v) to offer program on distance learning, external, online, dual mode education and continuing education bases and the manner in which such program are ordered by the University; to provide online education in such subjects and in such manners as may be specified by the Academic Council of the University:

(w) Provided that the University may for this purpose establish resource centers and collaborate with service providers in various part of the country and abroad;

(x) to recognize and conduct refresher course, orientation courses, workshops, seminars and other programs for industry executive, teachers, developers of courseware, evaluation, other academic staff, for working adults and others through executive education centers;

(y) to determine standard of admission to the University, constituent colleges, Regional Centers, Off-campus Centers, Off-shore campuses, Community Colleges, Study Centers,School etc. with the approval of the Academic Council;

(z) to make special provision for students belonging to the State of Sikkim for admission in any course of the University or in a constituent College, affiliated college, School, Regional Centers Off-Campus centers, Off-shore campus or Study Centers;

(aa) to prescribe courses for Bachelor's Degree, Master's Degree, Doctor of Philosophy/Doctor of Science and related Research Degrees and such other related degrees Diplomas, Certificates, etc.;

(bb) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes, Compact Discs/Video Compact Discs/Digital Versatile Discs (CDs/ VCDs/DVDs) and other software relating to the University and its various courses;

(cc) to recognize examination, course or period of study (whether in full or in part) of other Universities, Institutions or other places of higher learning as equivalent to examinations, course of periods of study in the University and to withdraw such recognition at any time;

(dd) to create Industry-Academia partnership by inviting industry in the University campus and other University Centers for mutual benefits and to recognize any organization situated in and outside the country, which conducts research or specified studies for such purpose and in such a manner and subject to such conditions as may be prescribed in the statutes;

(ee) to raise, collect, subscribe and borrow with prior approval from the Sponsoring Body whether on the security of the property of the University or its money for the purpose of the University;

(ff) to enter into, carry out, vary or cancel contracts;

(gg) to make, amend or cancel the regulations, ordinance, schedules and statues to fulfill the objectives of the University;

(hh) to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary to further the objective of the University;

(ii) to run programs and courses in any of the Indian or Foreign languages where deemed fit in the interest of the students;

(jj) to run various educational courses and programs for external students, to hold examination and to grant diplomas or certificate and confer degrees or other academic distinctions, subject to University Grants Commission (UGC) rules and regulations, on person who:

(i) have pursued a course of study in the University or in the approved institution or in associated industry as external students or under online education system; or

(ii) have carried on research in the University or in the approved institutions or as external students or under work integrated learning system;

(kk) the University shall have power to get into collaborations and agreements of articulation and progression with reputed University and Institution in India and abroad and also admit Institutes of Higher Learning to the Privilege of the University as approved Institution;

(ll) to honor educational stalwarts and persons of academic eminence with the decoration of Professor Emeritus;

(mm) to decide courses, program and subjects, also to conduct examination to provide results, Certificate and other instruments for various programs and courses and to conduct examination on demand through offline as well as online mode in India and abroad for regular campus, external and distance education programs and to establish and maintain within the University or elsewhere, such class rooms, laboratories and libraries, as the University may consider necessary;

(nn) to decide the fees of the course, programs and other activities;

(oo) to award associate's degrees, diplomas, and other activities through online or offline examination method by various modes of learning including external education and online education or dual mode;

(pp) to decide the education activity of the Pre University foundation which is equivalent to Secondary School Certificate and Pre-University Certificate (Arts) which is equivalent to Higher Secondary School Certificate (Arts),

Pre-University Certificate (Commerce) which is equivalent to Higher Secondary School Certificate (Commerce), Pre-University Certificate (Science) which is equivalent to Higher Secondary School Certificate (Science) of the State Education Boards and other education boards of India and abroad. Pre-University Certificate (Part 1) which is equivalent to part one of Higher Secondary School certificate of the State Education Boards and other education boards of India and abroad. Curriculum and syllabus of these courses shall be as per the Board of Secondary Education (CBSE) pattern;

(qq) to launch any new course which is in demand or suitable as per the requirements of students and determine its duration and fees, with the objective of promoting the welfare of the students and the society and to design or change course as per the new education policies implemented from time to time;

(rr) to give and take loans for the objectives listed in section 4 of this Act;

(ss) to clearly set apart the academic activities of the University from the activities of the Sponsoring Body but Sponsoring Body may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or the Regulations and also give directions to the University which shall be binding on all the University authorities. The Sponsoring Body can review the working of the University, by appointing one or more persons to monitor the proper functioning of the University, Colleges, Institutions, etc. maintained by it on the basis of their report and can pass necessary order to promote the improvement of the University, which shall be binding upon all authorities of the University;

(tt) to provide for dual degrees, diplomas or certificates *vis-à-vis* other universities on reciprocal basis within and outside the country;

(uu) to provide consultancy services;

(vv) to run program under Public Private Partnership (PPP) with the Government and semi-Government Organizations;

(ww) to offer Industry and Work Based Learning Program (I&WBLP) and carried on research in the University or in the approved Institutions as an external students or under industry and work integrated learning system;

(xx) to offer vocational courses which is equivalent to all the Indian State Councils of Vocational Training, skill education and National Council for Vocational Training (NCVT). Certificate courses are also equivalent to courses run by Industrial Training Institute and Industrial Training Centre of the State Government and Central Government. Curriculum and syllabi of these courses shall be as per the National Council for Vocational Training (NCVT) pattern;

(yy) to do all things necessary or expedient to exercise the above power; and to appoint, either on contact or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and such other person who may contribute to the advancement of the objectives of the University;

(zz) to carry out all such other activities as may be necessary or feasible in the furtherance of the objectives of the University.

University open to all classes, castes, creed, religion, language and gender

7. The University shall be open to all persons irrespective of class, caste, creed, religion, language or gender:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for admission to students of the State. Accordingly, special consideration shall be provided by the University to ensure the specific interest of the inhabitant of the State of Sikkim in view of its location and the stated objective to serve the interest of the State in particular, for which the University shall make appropriate provisions to the extent permissible by law or in consultation with the State Government from time to time:

Provided further, the University may make appropriate provisions on special consideration for women both in admissions to its various academic courses and in employment for posts in the University in adherence to such University Grant Commission (UGC) guidelines as may be applicable from time to time.

Special provision for safeguarding the interest of the bonafide students of the State

8. The University shall adopt and ensure strict compliance to the Reservation Policy of the State Government issued from time to time for safeguarding the interest of the Primitive Tribe, Scheduled Tribes, Scheduled Castes and Other Backward Classes of the State of Sikkim in terms of both admission to all of its various academic courses and employment for all posts of the University as may be applicable.

National and International Accreditations

9. The University shall obtain prior permission or approval from National Accreditation bodies like UGC (University Grants Commission), NCTE (National Council for Teacher Education), BCI (Bar Council of India), AICTE (All India Council for Technical Education), AIU(Association of Indian Universities), NIRF (National Institutional Ranking Framework), NBA (National Board of Accreditation), DEC (Distance Education Council), ICAR (Indian Council of Agricultural Research), DCI (Dental Council of India), NCHRH (National Council for Human Resource and Health), NMC (National Medical Council), INC (Indian Nursing Council), NAAC (National Assessment and Accreditation Council) , PCI (Pharmacy Council of India), or any other body before commencing any course; permission or recognition from concerned bodies, if required by any rule for the time being in force, shall be obtained.

Campuses

10. (1) The campuses of the University shall be at any place within the State of Sikkim and it may have campuses or regional centre, study centres, off-campus centres, community college anywhere in the State with prior approval of the Government or any other authority of the country concerned subject to University Grants Commission (UGC) (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 and or any other such regulation as may be issued by University Grants Commission (UGC) from time to time that are applicable to private Universities.

(2) The Chancellor, the Vice-Chancellor, members of Board of Governors, members of the Board of Management and the Academic Council for the time being holding office as such in the University so established shall constitute a corporate body and can sue and be sued in the name of the University.

(3) The Board of Governors shall decide the usage of land, building and other properties acquired for the University, which shall be based on the primary consideration of the benefits of the University.

Officers of the University

11. The following shall be the officers of the University, namely: -

(a) Chancellor;

(b) Pro-Chancellor;

(c) Vice-Chancellor;

(d) Pro-Vice-Chancellor;

(e) Registrar;

(f) Controller of Examinations; and

(g) Such other persons as may be prescribed to the Officers of theUniversity.

The Chancellor of the University

12. (1) The Chairperson of the Sponsoring Body shall be the Chancellor of the University.

(2) The Chancellor shall be the head of the University.

(3) The Chancellor shall preside at the meeting of the Board of Governors and also preside at the convocations of the University for conferring Degrees, Diplomas, Designations or Certificates.

(4) On the basis of the information received, if he is satisfied that any order, proceeding or decision taken by any other authority of the University is not in conformity with the Act, or the Regulations or Rules prescribed, the Chancellor may issue such directions as hemay deem fit in the interest of the University which shall be binding on all concerned. Chancellor has *veto* power over any decision taken by the authority, officers or committees. He can change, hold or modify the decision taken by authority, officers or committees.

(5) The Chancellor shall have the following powers, namely:-

(a) to call for any information or records, to decide the agenda of the meeting of University authorities, to modify or correct the rules, regulations, statutes, etc. passed by the authorities of the Universities and to submit the copy of Regulation and the Statutes of the University to the State Government to be notified in the Official Gazette;

(b) to appoint the Vice-Chancellor, Pro-Vice-Chancellor, Registrar, teaching, non-teaching staff and Officers of the University in consultation with the Board of Governors for a period of 3 (three) years subject to the procedures of appointment as provided under this Act;

(c) to remove the Vice-Chancellor, Pro-Vice-Chancellor, Registrar, teaching, non-teaching staff and Officers of the University;

(d) to approve the Vice-Chancellor, Pro-Vice-Chancellor, Dean, Registrar and Officers of the University, subject to the procedures as laid down under this Act;

(e) to do all things necessary or expedient to exercise the powers and objectives of the University;

(f) to nominate Chairman of all the Committees and Boards;

(g) in absence of the Chairman of all the committees, Chancellor may nominate any expert as the head of the committee or may himself head all the committee, board and council of the University.

(h) such other powers as may be conferred on him or her by this Act;

The Pro-Chancellor

13. (1) The Pro-Chancellor shall be appointed by the Society for a period of four years.

(2) The Chancellor may delegate any authority to the Pro-Chancellor for the smooth functioning of the University.

(3) The Pro-Chancellor shall assist the Chancellor in discharging his or her duties and preside at the convocation in his or her absence.

(4) The Pro-Chancellor may in writing under his hand addressed to the Chancellor, resign from his or her office.

(5) The Pro-Chancellor shall be the head of the Board of Governors in the absence of the Chancellor.

Method of removal of Vice-Chancellor, Pro-Vice-Chancellor, and Registrar

14. (1) The Vice-Chancellor, Pro-Vice-Chancellor and Registrar of the University may be removed by the Chancellor, on the recommendation of a Committee consisting of, -

(a) one to be nominated by the Chancellor;

(b) one person to be nominated by the Board of Governors; and

(c) one person to be nominated by the Sponsoring Body.

(2) The Committee shall forward the finding of the enquiry to the Chancellor together with a concise statement without any prejudice towards or against the person concerned.

(3) Findings of the Committee shall be mandatory for consideration by the Chancellor.

The Vice-Chancellor of the University

15. (1) The Vice-Chancellor shall be appointed for a term of three years by the Chancellor, subject to the minimum standards of qualification, both educational and otherwise, of the University Grants Commission (UGC) norms issued from time to time in this regard.

(2) The Vice-Chancellor shall be appointed by the Chancellor for a term of three years:

Provided that after expiration of the terms of three years the Vice-Chancellor shall be eligible for extension for a term not exceeding one year, thereby not exceeding four years altogether. In the exceptional case of a re-appointment, the process of fresh appointment shall be followed.

(3) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.

(4) If in the opinion of the Vice-Chancellor, it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he or she may take such action as deemed necessary and shall at the earliest opportunity thereafter report his or her action to such officers or authority as would have in the ordinary course dealt with the matter.

(5) If in the opinion of the Vice-Chancellor any decision of any authority of the University is outside the powers conferred by this Act, or is likely to be prejudicial to the interests of the University, he shall request the concerned authority to revise its decision within seven days from the date of decision, whereupon such matter shall be referred to the Chancellor and his decision thereon shall be final.

(6) The Vice-Chancellor shall exercise other powers and perform such other duties as may be laid down by the Act or as may be delegated to him by the Board of Governors or the Chancellor, as the case may be.

(7) The Vice-Chancellor shall preside at the convocation of the University in the absence of the Chancellor and the Pro-Chancellor shall preside in the absence of the Vice-Chancellor for conferring degrees, diplomas or certificates.

(8) The Chancellor is empowered to remove the Vice-Chancellor after due enquiry. It shall be open to the Chancellor to suspend the Vice-Chancellor during the enquiry depending upon the seriousness of the charges, as he may deem fit.

The Pro-Vice-Chancellor **16.** (1) The Pro-Vice-Chancellor shall be appointed by the Chancellor for a term of three years in such manner and shall exercise such powers and perform such functions as may be prescribed, both educational and otherwise,of the University Grants Commission (UGC) norms applicable from time to time in this regard.

(2) The Pro-Vice-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his other duties as a Professor.

(3) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in discharging his duties as and when required by the Vice-Chancellor.

(4) The Pro-Vice-Chancellor shall get honorarium of such amount as may be determined by the Sponsoring Body.

(5) The Pro-Vice-Chancellor shall be the head of the Board of Management in the absence of the Vice-Chancellor.

The Registrar **17.** (1) The terms and conditions relating to the appointment of the Registrar shall be made by the Chancellor.

(2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(3) The Registrar shall exercise such others powers and perform such other duties as maybe prescribed or may be required from time to time, by the Chancellor and the Board of Governors.

(4) The Registrar shall be responsible for the due custody of the records and the Common Seal of the University and shall be bound to place before the Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor or any other authority, all such information and documents as may be necessary for transaction of their business.

(5) The Registrar shall, without prejudice to the powers, functions and duties under sub-sections (1), (2), (3) and (4),-

(a) comply with all directions and orders of the Chancellor and the Board of Governors;

(b) be the custodian of the records, common seal and such other property of the University as the Board of Management shall commit to his charge;

(c) issue all notice covering meetings of the Board of Management, the Academic Council, the Finance

Committee, the Faculties, the Board of Studies and of any Committee, appointed by the authorities of the University;

(d) keep the minutes of all the Meetings of Board of Management, the Academic Council, the Finance Committee, the faculties and any Committee appointed by the authorities of the University and conduct the official correspondence of the Board of Management and the Academic Council;

(e) supply the Chancellor with the copies of the agenda of the meetings of the Authorities of the University as soon as they are issued for his final approval or concurrence and the minutes of such meetings ordinarily within a month of holding of the meetings;

(f) act as the custodian of the records, common seal and such other movable property of the University he may destroy, demolish and dismantle any movable property which is old, spoiled, damaged, impair property like unused records, common seal, answer paper of student who has passed two years ago;

(g) call a meeting of the Board of Management forthwith in an emergency, when neither the Vice-Chancellor nor the Officers duly authorized, is able to act and take decisions for carrying on the work of the University;

(h) be directly responsible to the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor for the proper discharge of his duties and functions; and

(i) perform such other duties as may be assigned, from time to time, by the Chancellor and the Board of Management.

(6) The first Registrar shall, in consultation with the Chancellor, make such statutes and regulations as may be necessary for the proper functioning of the University. The University shall submit the regulations and statutes to the State Government for notification by publication in the Official Gazette.

(7) In the event of the post of the Registrar remaining vacant for any reason, it shall be open to the Chancellor to authorize any officer in the service of the University to exercise such powers, functions, and duties of the Registrar as the Chancellor deems fit.

Other Officers

18. The manner of appointment, terms and conditions of service and power and duties of the other officers of the University shall be as authorized by the Chancellor in consultation with the Governing Body.

Authorities of the University

19. The following shall be the authorities of the University:

(a) The Board of Governors;

(b) The Board of Management;

(c) The Academic Council;

(d) The Finance Committee;

(e) The Board of Online Education Council;

(f) The Board of College Development Council;

(g) The Board of External Education Council;

(h) The Board of Vocational and Skill Development Education Council;

(i) The Board of Pre University Education; and

(j) Such other authorities as may be declared by the statutes under this Act.

Members of the Board of Governors

20. The Board of Governors of the University shall consist of the following members, namely: -

(a) The Chancellor: Chairperson

(b) The Pro-Chancellor: Vice-Chairperson

(c) The Vice-Chancellor;

(d) The Pro-Vice-Chancellor;

(e) The Secretary In charge of Education Department, the State Government or his nominee not below the rank of a Joint Secretary;

(f) Two nominees of the Chancellor; and

(g) Three nominees of the Sponsoring Body.

Terms of Office of Members of the Board of Governors

21. (1) In absence of the Chancellor, the Pro-Chancellor or any person nominated by the Chancellor will be the Chairperson of the Board of Governors.

(2) The Registrar shall be the Secretary of the Board of Governors. In the absence of the Registrar, the Chancellor may nominate any person to be the Secretary of the Board of Governors.

(3) The term of office of the Board of Governors shall be for five years:

Provided that the term of office of the first Board of Governors will expire on the constitution of the regular Board of Governors under the provision of the Schedule.

(4) A member of the Board of Governors shall cease to be one if he resigns or becomes of unsound mind, or becomes insolvent, or accepts a full-time appointment in the University, or fails to attend three consecutive meetings of the Board of Governors without the leave of the Chairperson.

(5) When a person has become a member of the Board of Governors by reason of the office or appointment he holds, or is a nominated member, his membership shall be terminated when he ceases to hold that office or appointment or nomination, as the case may be.

(6) A member of the Board of Governors may resign from his office by a letter addressed to the Chairperson and such resignation shall take effect as soon as the resignation has been accepted by the latter.

(7) Any vacancy in the Board of Governors or a member shall be filled either by appointment or nomination, as the case may be, by the respective authority authorized to make the same, and the member so appointed or nominated shall hold office until such time as the member in whose place he is appointed or nominated would have held the office if the vacancy had not occurred.

Powers and Functions of the Board of Governors

22. (1) The Board of Governors shall have all the power necessary for administration and management of the University or for conducting the affairs of the Academic Council, the Finance Committee and all other committees and the power to review the regulations made by the Board of Management and shall exercise the powers of the University not otherwise provided in this Act.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) the Board of Governors shall, -

(a) recommendto the board policies and programs of the University and suggest measures for the improvement and development of the University;

(b) consider and pass resolutions on the annual report, the financial estimate and the audit report on such accounts; and

(c) perform such other functions as it may deem necessary for the proper functioning and administration of the University.

(3) Without prejudice to the generality of the powers conferred by sub-section (1) and (2), the Board of Governors shall perform the following functions, namely:-

(a) take steps for achieving the objectives of the University;

(b) hold, control and administer the property and funds of the University;

(c) acquire and hold any movable property on behalf of the University;

(d) Administer any funds placed at the disposal of the University for specific purposes;

(e) manage and regulate the finances, accounts, investments, property,and all other administrative matter of the University and for that purpose appoint such agent as it may think fit;

(f) invest the money belonging to the University (including any income from Society and endowed property) in such stocks, funds, shares or securities as it may, from time to time, think fit and appropriate;

(g) enter into or carry out, or cancel contracts on behalf of the University;

(h) regulate and determine all other matters concerning the University in accordance with the provisions of the Act and the rules and regulations made hereunder;

(i) delegate any of its powers to a committee or the Vice-Chancellor or to any Officer of the University; and

(j) co-operate with other Institutions and Universities and other authorities in such manner and for such purpose as it may deem necessary.

Meeting of the Board of Governors

23. 1. The Board of Governors shall meet at least once in a year. Annual meeting of the Board of Governors shall be held on a date to be fixed by the Chancellor, unless some other date has been fixed by the Board of Governors in respect of any number of years.

2. The Chancellor shall preside over the meeting of the Board of Governors and in his absence the Pro-Chancellor shall preside over the meeting and in the absence of both of them, the Vice-Chancellor shall preside over the meeting.

3. A report of the working of the University during the previous year, together with a Statement of receipts and Register of expenditures, audited balance sheet and Financial Statement shall be presented by the Registrar to the Board of Governors at its annual meeting.

4. The Member of the Board of Governors shall be called by the Chancellor or in his absence by the Registrar either on his own or at the request of not less than five members of the Board of Governors.

5. For every meeting of the Board of Governors, fifteen days' notice shall be given.

6. Two-thirds of the Member of the Board of Governors shall form the quorum.

7. Each member shall have one vote and if there be equality of votes on any question to be determined by the Board of Governors, the Chancellor or the person presiding over the meeting, shall, in addition, have a casting vote.

8. In the case of difference of opinion among the members, the opinion of the majority shall prevail.

9. If urgent action by the Board of Governors becomes necessary, the Chancellor may permit the business to be transacted by circulation of papers to the members thereof. The action proposed to be taken shall not be taken unless agreed to by a majority of the members present. The action so taken shall be forthwith intimated to all the members of the Board of Governors and the papers shall be placed before the next meeting of the same for confirmation.

Members of the Board of Management

24. (1) The Board of Management shall consist of the following members, namely:-

(a) The Chancellor;

(b) The Pro-Chancellor;

(c) The Vice-Chancellor;

(d) The Pro-Vice-Chancellor;

(e) The Registrar;

(f) Finance Officer;

(g) One nominee of the sponsoring body;

(h) One nominee of the Chancellor.

(2) The Chancellor shall be the chairperson of the Board of Management.

(3) In absence of the Chancellor, the Pro-Chancellor, any person nominated by the Chancellor shall act as the Chairperson of the Board of Management.

Terms of office of members of the Board of Management

25. (1) When a person has become a member of the Board of Management by reason of the Office or appointment he holds, his membership shall be co-terminus with that office or appointment.

(2) A member of the Board of Management shall cease to be a member if he resigns, or becomes of unsound mind, or insolvent, or if a member other than the Registrar or a member of a Faculty accepts a full-time appointment in the University or fails to attend three consecutive meetings of the Board without the leave of the Chairperson.

(3) Unless the membership of the Board of Management is previously terminated as provided in sub-section (2), a member of the Board of Management other than an ex-officio member shall relinquish membership on the expiry of three years from the date on which he has become a member but shall be eligible for re-nomination or re-appointment, as the case may be:

Provided that the term of the first Board of Management shall be five years.

(4) A member of the Board of Management other than the ex-offico members may resign from his office by a letter addressed to the Chairperson and such resignation shall take effect as soon as the resignationis accepted by the Chairperson.

Power and Functions of the Board of Management

26. (1) The Board of Governors shall have all the power necessary for administration and management of the University or for conducting the affairs of the Academic Council, the Finance Committee and all other committees and the power to review the regulations made by the Board of Management and shall exercise the powers of the University not otherwise provided in this Act.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) the Board of Governors shall, -

(a) recommend to the board policies and programs of the University and suggest measures for the improvement and development of the University;

(b) consider and pass resolutions on the annual report, the financial estimate and the audit report on such accounts; and

(c) perform such other functions as it may deem necessary for the proper functioning and administration of the University.

(3) Without prejudice to the generality of the powers conferred by sub-section (1) and (2), the Board of Governors shall perform the following functions, namely: -

(a) take steps for achieving the objectives of the University;

(b) hold, control and administer the property and funds of the University;

(c) acquire and hold any movable property on behalf of the University;

(d) administer any funds placed at the disposal of the University for specific purposes;

(e) manage and regulate the finances, accounts, investments, propertyand all other administrative matter of the University and for that purpose appoint such agent as it may think fit;

(f) invest the money belonging to the University (including any income from Society and endowed property) in such stocks, funds, shares or securities as it may, from time to time, think fit and appropriate;

(g) enter into or carry out, or cancel contracts on behalf of the University;

(h) regulate and determine all other matters concerning the University in accordance with the provisions of the Act and the rules and regulations made hereunder;

(i) delegate any of its powers to a committee or the Vice-Chancellor or to any Officer of the University; and

(j) co-operate with other Institutions and Universities and other authorities in such manner and for such purpose as it may deem necessary.

(4) The Board of Management shall be the Chief Executive Body of the University.

(5) Subject to the powers and functions of the Chancellor, the administration, management and control of the University and the income accruing from there shall be with the Board of Management which shall control and administer the property and funds of the University.

Meetings of the Board of Management

27. (1) The Board of Management shall meet atleast once in six months and not less than 15 days' prior notice shall be given for such meeting.

(2) Four members of the Board of Management shall constitute a quorum for any meeting thereof.

(3) In case of difference of opinion among the members, the opinion of the majority shall prevail.

(4) Each member of the Board of Management shall have one vote. If there be equality of votes on any question to be determined by the Board of Management, the Chairperson of the Board of Management or the person presiding over the meeting shall, in addition, have a casting vote.

(5) Every meeting of the Board of Management shall be presided by the Chairperson and in his absence by a member chosen by the members present, subject to meeting the quorum and other applicable rules.

(6) If urgent action by the Board of Management becomes necessary, the Chancellor may permit the business to be transacted by circulation of notes or papers to the members thereof.

(7) In such a situation, the action proposed to be taken shall not be so taken unless agreed by the majority of the members present and voting. The action so taken shall be forthwith intimated to all the member of the Board of Management and the papers shall be placed before the next meeting of the same for confirmation.

Constitution of a standing Committee and appointment of Adhoc Committee by the Board of Management

28. Board of Management may, by resolution, delegate to the Registrar or to a committee such of its power as it may deem fit subject to the condition that the action taken by the Registrar or such committee in the exercise of powers so delegated shall be reported at the next meeting to the Board of Management.

Delegation of power by the Board of Management

29. Board of Management may, by resolution, delegate to the Registrar or to a committee such of its power as it may deem fit subject to the condition that the action taken by the Registrar or such committee in the exercise of powers so delegated shall be reported at the next meeting to the Board of Management.

Members of the Academic Council

30. (1) The Academic Council shall consist of the following members, namely:

(a) Vice-Chancellor- Chairperson;

(b) Registrar- Secretary;

(c) Deans of the faculties;

(d) Two educators or experts from the faculty members nominated by the Vice-Chancellor;

(e) Two nominees of the Chancellor; and

(f) Four external experts nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years and the term of the first Academic Council shall be five years.

Power and Functions of the Academic Council

31. Subject to the provisions of this Act and the regulations made hereunder, the Academic Council shall, in addition to all other powers vested in it, have the following powers namely:-

(a) to report any matter referred or delegated to it by the Board of Governors or the Board of Management;

(b) to make recommendations to the Board of Management with regard to the creation, abolition or classification of teaching post in the University and the emoluments and duties attached thereto;

(c) to formulate and modify or revise schemes for the organization of the faculties, and their respective subjects and also to report to the Board of Management as to the expediency of the abolition or sub-division of any faculty or the combination of one faculty with another;

(d) to make arrangements through regulations for the instruction and examination of persons other than those enrolled in the University;

(e) to promote research in the University and with other Universities, etc. and to require, from time to time, reports on such research;

(f) to consider proposals submitted by the faculties;

(g) to appoint committees for admission of the University;

(h) to consider diplomas and degrees of other Universities and institutions in the context of their equivalence in relation to the diplomas and degrees of the University;

(i) to fix, subject to any conditions accepted by the Board of Governors, the time, mode and conditions of constitution of fellowships and other prizes and to award the fellowships and prizes;

(j) to make recommendation to the Executive Committee in regard to the appointment of examiners and if necessary their removal and the fixation of their fees, emoluments and travelling and other expenses;

(k) to make arrangement for the conduct of examinations and to fix dates for holding them;

(l) to declare the results of the various examinations, or to appoint committees of officers to do so, and to make recommendations regarding the conferment or grant of degrees, honors, diplomas, licenses, titles and marks of honor;

(m) to award stipend, scholarships, medals and prizes and to make regulations and such other conditions as may be attached to the awards;

(n) to publish list of prescribed or recommended text-books and to publish syllabi of the prescribed courses of study;

(o) to prepare such forms and registers as are, from time to time, prescribed by regulations, and

(p) to perform, in relation to academic matters, all such duties and to do all such acts as may be necessary for the proper carrying out of the provisions of this Act and the regulations prescribed hereunder.

Members of the Finance Committee

32. (1) There shall be a Finance Committee constituted by the Chancellor consisting of the following members, namely:-

(a) The Chancellor;

(b) The Pro-Chancellor;

(c) The Vice-Chancellor;

(d) The Registrar;

(e) The Finance Officer;

(f) Two nominees of the Chancellor; and

(g) Two nominees of the Sponsoring Body.

(2) The members of the Finance Committee other than the ex-officio members shall hold officefor a term of three years.

Functions and duties of the Finance Committee

33. (1) The function and duties of the Finance Committee shall be as follows, namely;-

(a) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Board of Management;

(b) to consider all proposals for new expenditure to make recommendations to the Board of Management;

(c) to examine the annual accounts of the University and advise the Board of Management thereon;

(d) to examine the annual budget estimate and advise the Board of Management thereon;

(e) to review the financial position of the University from time to time;

(f) to make recommendations to the Board of Management on all proposals involving the raising of funds, receipts and expenditure.

(2) The Finance Committee shall meet at least twice every year. Three members of the Finance Committee shall form the quorum.

(3) The Chancellor and in his absence the Pro-Chancellor, shall preside over the meeting of the Finance Committee.

(4) In case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

Membership of the Board of Online Education Council

34. (1) The Board of Online Education Council shall consist of the following members, namely:-

(a) Chairman;

(b) Registrar- Secretary;

(c) Deans of the faculties;

(d) One educator or expert from the faculty members nominated by the Vice-Chancellor;

(e) Two nominees of the Sponsoring Body; and

(f) Four external experts in the field of education nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years:

Provided that the term of the first Academic Council shall be five years.

Board of Online Education Council

35. (1) The Online Education Committee shall be the Principal Body in the University to review and approve academic policies and issues related to the curriculum for academic programs and instructions delivered via face to face teaching, practical, satellite mediated instructions, e-learning mode, print material and on the job training as per the program requirement to a larger segment of the population and to promote educational well being of the society in general, to encourage the e-learning and alternative learning system in conjunction with the conventional education pattern of the Country and to coordinate and determine the standards in such system.

(2) The Online Education Committee shall, subject to the provision of this Act, the statutes, regulations and the rules coordinate and exercise general supervision over the Online Education policies of the University.

(3) Meetings of the Online Education Committee shall be convened by the Secretary on such date and at such time and place as may be fixed in consultation with the Chairman of the Online Education Committee.

(4) The Online Education Committee shall set up e-learning centres (centre established, maintained or recognized by the University for the purposes of advising, counseling or for rendering any other assistance including training, virtual classes and administering examination required in the context of online education) in and outside the Country for providing professional education and skill development training facilities.

(5) The statutes may specify the other powers and functions of the Online Education Committee.

(6) Three members of the Online Education Committee shall form the quorum for the meetings.

(7) The tenure of office of the members of the Online Education Committee other than ex-officio member shall be three years or till reconstitution, whichever is earlier.

(8) Notwithstanding anything contained in this Act, the Chancellor shall reconstitute the Online Education Committee once in three years.

Members of the Board of College, School and Campuses Development Council

36. (1) The Board of College,School and Campuses Development Council shall consist of the following members, namely:-

(a) Chairman;

(b) Registrar;

(c) Deans of the faculties;

(d) One educator or expert from the faculty members nominated by the Vice-Chancellor;

(e) Two nominees of the Sponsoring Body; and

(f) Four external experts nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years and the term of the first Academic Council shall be five years.

The Board of College, Community College, School and Campuses Development

37. (1) The Board of affiliated college, School and Campuses Development Council shall be the Principal Body in the University to review and approve the academic policies and issues related to the curriculum for Academic programs and instruction offered by the affiliated college, Community Colleges, School and campuses in accordance with the policies and procedures of the Board of affiliated college, Community College and Campuses Development Council.

(2) The affiliated college, School and Campuses Development Council shall coordinate and exercise general supervision over affiliated college, School and University campuses as per the policies of the University.

(3) There shall be an officer of the affiliated college, School and Campuses Development Council as may be appointed by the Chancellor who shall keep proceedings on record and be the custodian of all papers relating to the College Development Council. The meeting of the Council shall be convened by the Secretary on such date and at such time and place as may be fixed in consultation with the Chairman of the affiliated college, School and Campuses Development Council.

(4) The statutes may specify the other powers and functions of the affiliated college, School and Campuses Development Council.

(5) Three members of the affiliated college, School and Campuses Development Council shall form the quorum for a meeting.

(6) The tenure of office of the members of the affiliated college, School Development Council other than ex-officio member shall be three years or till reconstitution, whichever is earlier.

(7) Notwithstanding anything contained in this Act, the Chancellor shall reconstitute the affiliated college, School and Campuses Development Council once in three years.

Members of the Board of External Education Council

38. (1) The Board of External Education Council shall consist of the following members, namely: -

(a) Chairman;

(b) Registrar- Secretary;

(c) Deans of the faculties;

(d) One educator or experts from the faculty members nominated by the Vice-Chancellor,

(e) Two nominees of the Sponsoring Body, and

(f) Four external experts nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years provided that the term of the first Academic Council shall be five years.

The Board of External Education Council

39. (1) The Board of External Education Council shall be the Principal Body in the University to review and approve academic policies and issues related to the curriculum for external program and instructions to be delivered via face to face teaching in external education, practical of external education program, satellite mediated instructions, e-learning mode, print material and on the job training as per the program requirement to a larger segment of the populations

and to promote educational well being of the society in general, to encourage the e-learning in external education and alternative learning system in conjunction with the conventional education pattern of the Country and to coordinate and determine the standards in such system.

(2) The Board of External Education Council shall, subject to the provisions of this Act, statutes, regulation and the rules, coordinate and exercise general supervision over the affiliation policies of the Colleges of the University.

(3) The Board of External Education Council shall set up Colleges or affiliate Colleges in and outside the Country for such purpose and in such manner and subject to such conditions as may be prescribed by statutes.

(4) Three members of the Board of External Education Council shall form the quorum for a meeting.

(5) The statutes may specify the other powers and functions of the Board of External Education Council.

(6) The tenure of office of the members of the Board of External Education Council other than ex-officio members shall be three years or till reconstitution, whichever is earlier.

(7) Notwithstanding anything contained in this Act, the Chancellor shall reconstitute the Board of External Education Council once in three years.

Members of the Board of Vocational and Skill Development Education Council

40. (1) The Board of Vocational and Skill Development Education Council shall consist of the following members, namely:-

(a) Chairman;

(b) Registrar- Secretary

(c) Deans of the faculties;

(d) One educator or expert from the faculty members nominated by the Vice-Chancellor;

(e) Two nominees of the Sponsoring Body; and

(f) Four external experts nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years and the term of the first Academic Council shall be five years.

The Board of Vocational and Skill Development Education Council

41. (1) The Board of Vocational and Skill Development Education Council shall be the Principal Body in the University to review approve the academic policies and issues related to the curriculum for academic programs and instruction offered by the Vocational and Skill Development institute in accordance with the policies and procedures of the Board of Vocational and Skill Development Education Council.

(2) The College Development Council shall, subject to the provisions of this Act, statutes, regulation and the rules, coordinate and exercise general supervision over the Vocational and Skill Development policies of the University.

(3) There shall be an officer of the Board of Vocational and Skill Development Education Council as may be appointed by the Chancellor who shall keep proceedings on record and be the custodian of all papers relating to Vocational and Skill Development Institute. Board meeting shall be convened by the Secretary on such date and at such time and place as may be fixed in consultation with the chairman of the Board of Vocational and Skill Development Education Council.

(4) The Board of Vocational and Skill Development Education Council shall set up Vocational and Skill Development Institute for such purpose and in such manner and subject to such conditions as may be prescribed by statutes.

(5) The statutes may specify the other powers and functions of the Board of Vocational and Skill Development Education Council.

(6) Three members of the Board of Vocational and Skill Development Education Council shall form the quorum for a meeting.

(7) The tenure of office of the members of the Board of Vocational and Skill Development Education Council other than ex-officio members shall be three years or till reconstitution, whichever is earlier.

(8) Notwithstanding anything contained in this Act, the Chancellor shall reconstitute the Board of Vocational and Skill Development Education Council once in three years.

Members of the Board of Pre-University Education

42. (1) The Board of Pre-University Education shall consist of the following members, namely:-

(a) Chairman ;

(b) Registrar- Secretary;

(c) Deans of the faculties;

(d) One educator or expert from the faculty members nominated by the Vice-Chancellor;

(e) Two nominees of the Sponsoring Body, and

(f) Four external experts nominated by the Chancellor.

(2) The term of office of the members other than ex-officio members shall be three years and the term of the first Academic Council shall be five years.

The Board of Pre-University Education

43. (1) The Board of Pre-University Education shall be the principal body of the University to review and approve the academic policies and issues related to the curriculum for academic

programs and instructions offered in accordance with the policies and procedures of the Board of Pre-University Education.

(2) The Board of Pre-University Education shall be Principal Body of the University to review and approve academic policies and issues related to the curriculum for Pre-University and instructions delivery via face to face teaching in Pre-University with external education and regular education, practical of Pre-University in external education program and regular program, satellite mediated instructions, e-learning mode, print material and on the job training as per the program requirement to a larger segment of the population and to promote educational well being of the society in general, to encourage the e-learning in Pre-University with external education and alternative learning system in conjunction with the conventional education pattern of the Country and to coordinate and determine the standards in such system.

(3) The Board of Pre-University Education shall subject to the provisions of this Act, statutes, regulation and the rules coordinate and exercise general supervision over the affiliation policies of the affiliated Schools of the University.

(4) There shall be an officer of the Board of University as may be appointed by the Chancellor who shall keep proceedings on record and be the custodian of all papers relating to the Board.

(5) The Board of Pre-University Education shall set up School or affiliate School in and outside the Country for such purpose and in such manner and subject to such conditions as may be prescribed by statutes.

(6) Three members of the Board of Pre-University Education shall form the quorum for a meeting.

(7) The statutes may specify the other powers and functions of the Board of Pre-University Education. The Board of Pre-University Education is equivalent to State Board of School Education of any India and abroad. State government will process and instruct to Council of Boards of School Education (COBSE) for giving membership to the University.

(8) The tenure of office of the members of the Board of Pre-University Education other than ex-officio member shall be three years or till reconstitution, whichever is earlier.

(9) Notwithstanding anything contained in this Act, the Chancellor shall reconstitute the Board of Pre-University Education once in three years.

The Academic Council

44. The Academic Council shall be the academic body of the University and it shall, subject to the provision of this Act and the regulations made hereunder, have the power of control and shall be responsible for the maintenance of standards of education, instruction and examinations of the University and exercise such other powers and functions as may be conferred upon it by the Act and shall also have the right to advice the Board of Management on all academic matters.

Other officers and Employees

45. (1) Subject to the regulations made for the purpose, every other officer or employee of the University shall be appointed under a written contract setting out the conditions of service as prescribed by the regulation which shall be lodged with the University and a copy thereof furnished to the officer or employee concerned.

(2) While making employment in the University and the institution under it, the University shall safeguard the interest of the local people of the State of Sikkim through adoption of the State Reservation Policy.

(3) Any dispute arising out of the contract between the University and any of the officers or employees shall, at the request of the officer or the employee concerned, or at the instance of the University, be referred to a tribunal for arbitration consisting of three members appointed by the Board of Management as prescribed by the regulations.

(4) Appointment and condition of service of employees and faculty members shall be as per University Grants Commission (UGC) rules and regulations applicable from time to time.

Disqualification

46. A person shall be disqualified for being a member of any of the authorities, boards, councils and bodies etc. of the University, if he;

(a) is of unsound mind and stands so declared by a competent court; or

(b) is an undischarged insolvent; or

(c) has been convicted of any offence involving moral turpitude; or

(d) is conducting or engaging himself in private coaching classes; or

(e) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere.

Regulation

47. (1) Subject to the provisions of this Act, the Board of Management, in addition to all other power vested in it shall have the power to frame regulations to provide for the administrations and management of the affairs of the University as listed below:-

(a) the Constitution and assignment of duties of the Academic Council and to direct the Vice-Chancellor;

(b) the empowerment of authorities responsible for organizing teaching in connection with the University and related academic programs;

(c) the withdrawal of Diplomas and Certificates and other academic distinctions;

(d) the establishment and abolition of faculties, department and institutions as per the need of the University, Institutions or organizations other than constituents Colleges which conduct specified studies may be recognized by the Board of Management as Community Colleges for such purpose and in such manner and subject to such conditions as prescribed by the statutes, subject to the relevant University Grants Commission (UGC) norms;

(e) the institution of fellowships, scholarships, exhibitions, medals and prizes;

(f) conditions and modes of appointment of examiners for monitoring of standards of examination or any other course;

(g) mode of enrolment / admission of students:

Provided that the Board of Management shall not make any regulations regarding the status, power or the constitution of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so received shall be considered by the Board of Governors.

(2) The Academic Council shall have the powers to propose regulations on all matters specified in clauses (a) to (g) of sub-section (1) and on matters incidental and related thereto in this regard.

(3) Where the Board of Management has rejected the draft of the regulations proposed by the Academic Council, the latter may appeal to the Chancellor and the Chancellor may, by order, direct that the proposed regulations may be laid before the next meeting of the Board of Governors for its approval and that pending such approval of the Board of Governors, it shall have effect from such date as may be specified in that Order.

(4) All regulations made by the Board of Management shall be submitted, as soon as may be, to the Chancellor and to the Board of Governors for approval by a majority of not less than 2/3rd of the members present and voting. A majority of not less than 2/3rd of the members present shall be required to revoke or rescind any regulation made by the Board of Management and such regulation shall, from the date of such resolution, cease to have effect.

Appointment of University Review Committee **49.** (1) The Chancellor shall, at least once in every five years, constitute a University Review Committee to review the working pattern of the University and to make recommendations relating thereto.

(2) The Committee shall consist of not less than three eminent members/educationists, one of whom shall be the Chairperson of the Committee appointed by the Chancellor in consultation with the State Government.

(3) The terms and conditions of the appointment of the members shall be such as the Chancellor may determine.

(4) The Committee shall, after holding such enquiry as it deems fit, make its recommendations to the Chancellor.

(5) The Chancellor may take such actions on the recommendations as he deems fit.

Vacancies etc., not to invalidate proceedings **50.** (1) Notwithstanding anything contained in this Act or the rules made hereunder, no proceedings of the Board of Governors, Board of Management, Academic Council or any other authority or body of the University shall be invalidated or questioned merely on the ground of existence of any vacancy or defect in its constitution in the membership of such authority or body.

(2) No resolution of any authority of the University shall be deemed to be invalidated on account of any irregularity in the service of notice upon any member provided that the proceeding of such authority or body were not prejudicially affected by such irregularity.

Admission **51.** 1. Admission in the University shall be made strictly on the basis of merit.

2. Merit for admission in the University may be determined either on the basis of marks or grade obtained in the qualifying examination for admission and achievements in co-curricular and extra-curricular activities or on the basis of marks or grade obtained in the entrance test conducted at State level either by an association of the Universities conducting similar courses or by any agency of the State:

Provided that admission in professional and technical courses shall be made only through entrance test.

3. Seats for admission in the University, for the students belonging to Scheduled Castes, Scheduled Tribes and Other Backward Classes and PWD (person with disability) students, shall be reserved as per the policy of the State Government.

4. At least 50% seats for admission to each course shall be reserved for students who are bonafide residents of the State having SSC/COI.

Fee Structure

52. (1) The University may, from time to time prepare and revise, its fee structure and send it to the Government for its approval before 31st December of every preceding academic year and the Government shall convey the approval within three months from the receipt of the proposal:

Provided that the fee structure for each course shall be decided before the issue of prospectus and shall be reflected in the prospectus:

Provided further that the fee structure shall not be revised or modified during the academic year.

(2) The fee structure prepared by the University shall be considered by a committee to be constituted by the State Government, in the manner as may be prescribed, which shall submit its recommendations to the Government after taking into consideration whether the proposed fee is,-

(a) sufficient for generating—

(i) resources for meeting the recurring expenditure of the University; and

(ii) the savings required for the further development of the University; and

(b) not unreasonably excessive.

(3) After receipt of the recommendations under sub-section (2), if the Government is satisfied, it may approve the fee structure.

(4) The fee structure approved by the Government under sub-section (3) shall remain valid until next revision.

Validation of the academic award

53. (1) Degrees, diplomas and Pre-University certificates or other academic distinctions awarded by the University shall be recognized for the purpose of employment for post and service under the State Government, provided it has been awarded as per the Statutes and Regulations of the University.

(2) Degrees, Diploma and Pre-University Certificates or other academic distinctions awarded by the University shall be recognized for the purpose of further education in other Universities and higher learning institutes, provided it has been awarded as per the Statutes and Regulations of the University.

Examination

54. At the beginning of each academic session and in any case not later than 30th of August of every calendar year, the University shall prepare and publish a semester-wise or annual, as the case may be, Schedule of Examinations for each and every course conducted by it and shall strictly adhere to such Schedule.

Explanation.— Schedule of Examination means a table giving details about the time, day and date of the commencement of each

paper which is a part of a Scheme of Examinations and shall also include the details about the practical examinations.

Declaration of results **55.** (1) The University shall strive to declare the results of every examination conducted by it within thirty days from the last date of the examination for a particular course and shall in any case declare the results latest within forty-five days from such date:

Provided that if, for any reason whatsoever, the University is unable to finally declare the results of any examination within the period of forty-five days, it shall submit a report incorporating the detailed reasons for such delay to the Government. The Government may, thereon, issue such directions as it may deem fit for better compliance in future.

(2) No examination or the results of an examination shall be held invalid only for the reasons that the University has not followed the Schedule of Examination as stipulated in section 39 and in this section.

Convocation **56.** The convocation of the University shall be held in every academic year in the manner as may be specified by the statutes for conferring degrees, diplomas or for any other purpose.

Provident Fund, Gratuity, Pension and any other benefit Scheme **57.** All the permanent employees of the University shall be entitled to the benefits of provident fund and gratuity in accordance with such regulation as may be framed in that behalf by the Board of Management.

Endowment Fund **58.** (1) The Sponsoring Body shall establish an Endowment Fund for the University with an amount of surplus two crore, which shall be pledged to the Government once the day-to-day operation of the University take place.

(2) The Endowment Fund shall be kept as security deposit to ensure strict compliance of the provisions of this Act, rules, regulations, statutes or ordinances made thereunder.

(3) The Government shall have the powers to forfeit, in the prescribed manner, a part or whole of the Endowment Fund in case the University or the Sponsoring Body contravenes any of the provisions of this Act, rules, statutes, ordinances or regulations made thereunder.

(4) Income from Endowment Fund shall be utilized for the development of infrastructure of the University but shall not be utilized to meet out the recurring expenditure of the University.

Annual Account and Audit **59.** (1) The Annual Account of the University shall be prepared under the direction of the Board of Management.

(2) The account of the University shall, at least once a year, be audited by the auditors appointed by the Board of Management:

Provided that the State Government shall have the power to direct, whenever considered necessary, an audit of the account of the University, including the institutions managed by it, by such auditor, as it may specify.

(3) The account when audited shall be published by the Board of Management and a copy of the account together with the audit report shall be placed before the Board of Governors and shall also be submitted to the Government.

(4) The Annual Accounts shall be considered by the Board of Governors at its annual meeting. The Board of Governor may pass resolution with reference thereto and communicate the same to the Board of Management. The Board of Management shall consider the suggestions made by the Board of Governors and take such action thereon as it thinks fit. The Board of Management shall inform the Board of Governors at its next meeting all action taken by, or the reasons for not taking action.

Financial Estimates

60. (1) The Board of Management shall prepare the Financial Estimates as may be prescribed by regulations for the ensuing year and place the same before the Board of Governors.

(2) The Board of Management may, in case where the expenditures to be incurred are in excess of the amount provided in the budgets or in case of urgency, for reason to be recorded in writing, incur expenditure subject to such restrictions and conditions as specified in the regulations. Where no provision has been made in the budget in respect of such excess expenditure, a report shall be made to the Board of Governors at its next meeting.

Annual Report

61. (1) The Board of Management shall prepare the Annual Report containing such particulars as the Board of Governors may specify, covering each financial year and submit it to the Board of Governors on or before such date as may be prescribed by the regulations. The Board of Governors may pass resolutions thereon and the Board of Management shall take action in accordance therewith. The action taken shall be intimated to the Board of Governors.

(2) Copies of the annual report along with the resolution of the Board of Governors thereon shall be submitted to the State Government.

(3) The State Government shall, as soon as may be, cause a copy of such annual report to be laid before the Sikkim Legislative Assembly.

Honorary Degrees **62.** The Academic Council shall recommend that an Honorary Degree of academic distinction be conferred on any person on the ground that, in their considered opinion recorded in writing, he is, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction. The Board of Governor may, by a resolution, decide accordingly that the same may be conferred on the person recommended.

Withdrawal of Degree or Diploma **63.** (1) The Board of Governor may, on the recommendation of the Academic Council, withdraw any distinction, degree, diploma, privileges, etc. conferred or granted to any person by a resolution passed by a majority of the total membership of the Board of Governors and by a majority of not less than two-thirds of the members present and voting at the meeting, if such person has been convicted by a court of law for an offence, which in the opinion of the Board of Governors involves moral turpitude or if he has been found guilty of gross misconduct.

(2) No action under the above provision shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolutions of the Board of Governors shall immediately be sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Board of Governors may appeal to the Chancellor within thirty days from the date of the receipt of such resolution.

(5) The decision of the Chancellor in such appeal shall be final and binding.

Discipline **64.** (1) The University shall maintain strict discipline as per all relevant University Grants Commission (UGC) norms applicable from time to time.

(2) Such discipline shall be strictly enforced amongst the Teaching Faculty, Non-Teaching Faculty and all the Students enrolled in the University at all times as discipline is one of the most important pillars of quality education.

(3) The University shall enable due inspection periodically by the State Government to ensure compliance to all relevant University Grants Commission (UGC) norms, guidelines, and due adherence to local etiquettes and traditional values to ensure suitable adaption of the University to the local population with primary focus on high standards of education.

(4) The final authority responsible for the maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in this regard shall be carried out by the Heads of the Department of the University, Hostel and Institutions.

(5) Any punishment of debarring a student from the examination or rustication, expulsion, suspension or restriction from the University or hostel institution shall, on the report of the Vice-Chancellor, be considered and imposed by the Board of Management:

Provided that no such punishment shall be taken without giving student concerned a reasonable opportunity for show cause against proposed action to be taken.

Sponsored Scheme

65. Whenever the University receives funds from any Scheme to be executed by the University, notwithstanding anything in this Act and Regulations: -

(1) the amount received shall be kept by the University separately from the University Fund and utilized only for the scheme; and

(2) the staff required to execute the scheme shall be recruited in accordance with the terms and conditions stipulated by the Sponsoring Body.

Monitoring by University Grants Commission (UGC)

66. The University Grants Commission (UGC) shall monitor the University annually as required under the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 and or under any other such regulation as may be issued by University Grants Commission (UGC) from time to time that are applicable to Private Universities.

Removal of difficulties

67. If any difficulties arises with respect to the establishment of the University in giving effect to the provisions of the statutes, the Chancellor may, at any time, by order, make such provisions, not inconsistent with the provisions of the statutes, as appeared to him or her to be necessary or expedient, for removing the difficulty and every such order shall have the same effect as if the appointment or action had been made or taken in the manner provided in this Act:

Provided that before making any such order, the Chancellor shall ascertain and consider the opinion of the Registrar of the University or such appropriate authority as he may deem fit and proper.

Removal of Doubts

68. For the purpose of removal of doubts, it is hereby declared that nothing in this Act shall be construed as transferring from the Late Smt. Lal Muni Devi Jankalyan Mahasamiti Society to the University such right of ownership of any of the Research and Late Smt. Lal Muni Devi Jankalyan Mahasamiti Society, over or in respect of the Institutes established by it.

Transitional Provision

69. Notwithstanding anything contained in this Act and the regulations made hereunder, the Registrar may, with the approval of the Chancellor and subject to the availability of funds, discharge all or

any of the functions of the University for the purpose of carrying out the provisions of the Act and the regulations and for that purpose may exercise powers or perform any duties which, are to be or performed by any authority of the University until such authority comes into existence in the manner provided by this Act and the regulations made hereunder.

Power of the State Government to inspect the University

70. (1) For the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, the State Government shall cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit.

(2) The State Government shall communicate to the University its recommendations in regard to the result of such assessment for corrective action and the University shall take such corrective measures as are necessary or as deemed necessary as to ensure the compliance of the recommendations.

(3) If the University fails to comply with the recommendations made under sub-section (2) within a reasonable time, the Government may give such directions as it may deem fit which shall be binding on the University.

Dissolution of the University

71. (1) The Sponsoring Body may dissolve the University by giving a notice to this effect to the Government, the employees and the students of the University at least one year in advance:

Provided that the dissolution of the University shall have effect only after the last batches of students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(2) On the dissolution of the University all the assets and liabilities of the University shall vest in the Sponsoring Body as per the terms and conditions under the State Laws:

Provided that in case the Sponsoring Body dissolves the University before fifty years of its establishment, all the assets of the University including assets of the Sponsoring Body pertaining to the University shall vest in the State Government free from all encumbrances.

Expenditure of the University during dissolution

72. (1) The expenditure for the administration of the University during the dissolution period shall be borne out of its Endowment Fund, Management Fund, the General Fund or the Development Fund.

(2) If the funds referred to sub-section (1) are not sufficient to meet the expenditure of the University during dissolution of its management, such expenditure may be met by disposing of the properties or assets of the University, by the Sponsoring Body and the State Government.

De-recognition of the University by the State Government

73. (1) Where the State Government receives a complaint that the University is not functioning in accordance with the provision of this Act or Rules, it shall require the University to show cause within such time, which shall not be less than two months, as to why the University should not be de-recognized.

(2) If upon receipt of the reply of the University to the notice given under sub-section (3) the State Government is satisfied that a *prima-facie* case of mismanagement or violation of the provision of this Act in the functioning of the University is made out, it shall order such enquiry as it deems necessary.

(4) For the purpose of an inquiry under sub-section (2) that State Government shall by notification, appoint an officer or authority not below the rank of Joint Secretary as the inquiring authority to inquire into an allegation of violation of the provision of this Act.

(5) Every inquiring authority appointed under sub-section (3) while performing its functions under this Act shall have all the powers of a Civil Court trying a suit and particularly, in respect of the following matters, namely: -

(a) summoning and enforcing the attendance of any witness and examining him on oath;

(b) requiring the discovery and production of any documents;

(c) requisitioning any public record or copy thereof from any office;

(d) receiving evidence on affidavits; and

(e) any other matters which may be prescribed.

(6) If upon receipt of the inquiry report, the State Government is satisfied that the University has violated any provision of this Act, it shall direct the University to make necessary improvement and suggest for proper implementation of the provision of this Act.

(7) If it is observed that the University is violating any provision of the Act continuously for three times the State Government may be notification take over its management duly informing the University Grant Commission.

(8) During the period of the management of the University, the State Government may utilize the permanent Endowment Fund, the General Funds or any other fund for the purpose of the Management of the affairs of the University. If the funds of the University are not sufficient to meet the requisite expenditure of the University, the State Government may dispose of the assets or the properties of the University to meet the said expenses.

(9) Every notification under sub-section (6) shall be laid before the house(s) of the State Legislative Assembly, before implementation.

Special powers of the State Government

74. (1) If it appears to the Government that the University has contravened any of the provisions of this Act, or rules, statutes or ordinances made thereunder or has contravened any of the directions issued by it under this Act or has ceased to carry out any of the undertakings given or a situation of financial mismanagement or mal-administration has arisen in the University, it shall issue notice requiring the University to show cause within forty-five days as to why an order of its liquidation should not be made.

(2) If the Government, on receipt of reply of the University on the notice issued under sub-section (1), is satisfied that there is a *prima-facie* case of contravening all or any of the provisions of this Act, statutes or ordinances made thereunder or of contravening directions issued by it under this Act or of ceasing to carry out the undertaking given or of financial mis-management or mal-administration, it shall make an order of such enquiry as it may consider necessary.

(3) The Government shall, for the purpose of any enquiry under sub-section (2), appoint an inquiry officer or officers to inquire into any of the allegations and to make report thereon.

(4) The inquiry officer or officers appointed under sub-section (3) shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely: —

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any such document or any other material as may be predicable in evidence;

(c) requisitioning any public record from any court or office; and

(d) any other matter which may be prescribed.

(5) The inquiry officer or officers inquiring under this Act, shall be deemed to be a Civil Court for the purposes of section 195 and chapter 26 of the Code of Criminal Procedure, 1973 (2 of 1974).

(6) On receipt of the enquiry report from the officer or officers appointed under sub-section (3), if the Government is satisfied that the University has contravened all or any of the provisions of this Act, Statutes, or Ordinances made thereunder or has violated any of the directions issued by it under this Act or has ceased to carry out the undertakings

given by it or a situation of financial mis-management or mal-administration has arisen in the University which threatens the academic standard of the University, it shall issue orders for the liquidation of the University and appoint an administrator.

(7) The administrator appointed under sub-section (6) shall have all the powers and duties of the Governing Body and the Board of Management under this Act and shall administer the affairs of the University until the last batch of the students of the regular courses have completed their courses and they have been awarded degrees, diplomas or awards, as the case may be.

(8) After having awarded the degrees, diplomas or awards, as the case may be, to the last batches of the students of the regular courses, the administrator shall make a report to this effect to the Government.

(9) On receipt of the report under sub-section (8), the Government shall, by notification in the Official Gazette, issue an order dissolving the University and from the date of publication of such notification, the University shall stand dissolved and all the assets of the University including assets of the Sponsoring Body pertaining to the University shall vest in the Government free from all encumbrances from the date of dissolution.

Status of Asset, Liabilities on Dissolution and De-recognition

75. All assets and properties including the Endowment Fund, General Fund or any other fund and also the liabilities of the University shall belong to the Government in case of dissolution of the University under any clause mentioned hereinabove in the Act.

Power of the State Government to give directions

76. (1) The State Government may, for the purpose of ascertaining the standards of teaching, examination and research or any other matter relating to the University, cause an assessment to be made in such manner as may be prescribed, by such person or persons as it may deem fit.

(2) The State Government shall communicate its recommendations to the University on the basis of such assessment for corrective action. The University may adopt such corrective measures and make efforts so as to ensure the compliance of the recommendations.

(3) The State Government may give such directions as it may deem fit if the University fails to comply with the recommendation made under sub-section (2) within a reasonable time. The directions given by the State Government shall be immediately complied by the University.

Power of the State Government to make rules

77. The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

The Authorities and Officers of the University etc.

78. (1) The Authorities of the University and the composition, powers, functions and other matters related to the officers of the University and all other matters relating to the functions, powers, teaching, administration, management and other affairs of the University shall, subject to the provisions of this Act, be as specified in the Schedule or as may be provided by the regulations.

(2) Sponsoring Body can appoint first officers of the University and its authority for the smooth functioning of the University activities.

Protection of action taken in good faith

79. No suit, prosecution or other proceedings shall lie against the Chancellor, the Authorities or the Controller of Examination of the University or any other person or employee of the University in respect of anything which is, in good faith, done or purported to have been done in pursuance of this Act or any regulations made hereunder.

Power to make Statutes and Regulations

80. The Authorities may make statutes and regulations, as may be deemed expedient, for all or any of the provisions of the Act for carrying out the responsibilities of the University. The University shall submit the copy of the Regulations and Statutes to the State Government from time to time and the State Government shall notify the same by publication in the Official Gazette.

Power to amend the Statutes

81. (1) The Board of Governors may, with the previous approval of the Chancellor, by notification, amend, either prospectively or retrospectively, the Statutes:

Provided that the Government of Sikkim, in case of necessity which may be recorded in writing and after due consultation with the relevant authorities of the University, shall have the power to amend the Statutes and Schedule, through due process, in such manner as may be required from time to time.

(3) A copy of the notification made under sub-section (1) shall be submitted to the State Government as soon as it is made for publicationin the Official Gazette.

Act to be in addition to existing rules

82. The provisions of this Act shall have effect in addition, but not in derogation, to any other law for the time being in force in the State of Sikkim.

Savings

83. Notwithstanding anything contained in this Act, all rules, orders, notification, schemes, bye-laws, regulations, circulars, office memoranda or similar instructions issued by the Government of India or its regulatory bodies including University Grants Commission (UGC), All Indian Council of Technical Education (AICTE), etc, that are applicable to such Universities and other Institutions of Higher Education, shall apply, *mutatis mutandis* to the University until the same is issued by the Government of Sikkim, and the University shall provide all such facilities and assistance to such bodies as are required by them to discharge their duties and carry out their functions.

SCHEDULE A

(1) Acquire not less than 10 acres of land for its main Campus, within five years after starting the functioning of the University. An integrated campus may have certain facilities in common such as auditorium, cafeteria, hostels, etc. Hence the land requirement may vary accordingly.

(2) Construct administrative building of at least 1,000 square metres, academic building including library, lecture theatres, laboratories of at least 10,000 square metres, adequate residential accommodations for teachers, guest houses, hostels which shall gradually be increased to accommodate at least 25% of the total student strength in each course within 5 years of its coming into existence. In case the University is conducting professional programmes of study, prevailing norms and standards of respective statutory body shall be applicable. Existing institutes must undertake expansion/renovation/restructuring to meet the prescribed norms of the State Government.

SURAJ CHETTRI (SSJS)
L.R.-cum-SECRETARY
LAW & PARLIAMENTARY AFFAIRS DEPARTMENT